

REMARKS

Initially, applicants thank the Examiner for indicating that claims 7 and 8 contain allowable subject matter. Applicants have respectfully maintained claims 7 and 8 in their dependent form in light of the following remarks.

Claim 1 has been amended to recite “a member having a minimal cross-section flow path, the member being disposed downstream of the flow sensor, the member having an opening ratio of less than 6.25%,” as disclosed at least at paragraph [0025] and in the table at pages 11 and 12 of applicants’ specification. Claims 1-15 have been variously amended to improve their syntax as well as to ensure proper antecedent basis is provided for all of the elements recited in the claims. No new matter has been added.

Claims 1, 3 and 15 stand rejected under 35 USC 102(b) on Speldrich (U.S. Patent No. 6,655,207). Applicants respectfully traverse this rejection.

Claim 1 has been amended to recite “a member having a minimal cross-section flow path, the member being disposed downstream of the flow sensor, and having an opening ratio of less than 6.25%.” Speldrich does not disclose or suggest such a feature.

The Examiner asserts that Speldrich discloses a member 62 having a minimal cross-section flow path, the member being disposed downstream of the flow sensor, as recited in claim 1. Applicants respectfully disagree. As shown in Figure 1, referenced by the Examiner, the inlet screen 62 (col. 10, lines 3-9) is upstream of the flow sensor 42, not downstream as recited in claim 1. Accordingly, the inlet screen 62 does not correspond to the member of claim 1.

Furthermore, Speldrich may disclose a flow sensor 42 having a flow restrictor 54 which is used to create a pressure drop across an inlet 50 and an outlet 52 of a sensing channel 44 to facilitate fluid flow into the sensing channel 44 (col. 4, lines 41-43) and to straighten and laminarize the flow in the flow channel 34, (col. 4, lines 49-52). But Speldrich does not disclose or suggest that the flow restrictor, or any other device, has an opening ratio of less than 6.25% as recited in claim 1.

Accordingly, claim 1 is allowable. Claims 3 and 15 depend from claim 1 and are allowable due at least to their respective dependencies.

Claims 2 and 4-6 stand rejected under 35 USC 103(a) on Speldrich in view of Schoess (U.S. Patent No. 6,652,740). Applicants respectfully traverse this rejection.

Schoess, which was cited as disclosing different aperture shapes, fails to overcome the deficiencies of Speldrich detailed above with regard to claim 1. Accordingly, claims 2 and 4-6, which depend from allowable claim 1, are allowable due at least to their respective dependencies.

Claims 9 and 11 stand rejected under 35 USC 103(a) on Speldrich. Applicants respectfully traverse this rejection. As detailed above, Speldrich does not disclose or suggest "a member having a minimal cross-section flow path, the member being disposed downstream of the flow sensor, and having an opening ratio of less than 6.25%," as recited in claim 1. Accordingly, claims 9 and 11, which depend from allowable claim 1, are allowable due at least to their respective dependencies.

Claim 10 stands rejected under 35 USC 103(a) on Speldrich in view of Schoess and Myhre (U.S. Patent No. 4,376,929). Applicants respectfully traverse this rejection. Myhre, which was cited as disclosing the etching of an aperture, fails to overcome the deficiencies of Speldrich and Schoess detailed above with regard to claim 1. Accordingly, claim 10, which depends from allowable claim 1, is allowable.

Applicants solicit an early action allowing the claims.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition for any required relief, including extensions of time, and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. **204552035700**.

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Respectfully submitted,

By Adam Keser
Adam Keser
Registration No. 54,217
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7301